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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

RICHARD DAVENPORT

CV 05-079-CO

Plaintiff,

v.

MICHAEL J. ASTRUE
Commissioner of Social Security,

Defendant.

ORDER GRANTING
ATTORNEYS' FEES UNDER
42 U.S.C. § 406(b)

Attorneys' fees in the amount of \$9,697.75 are hereby awarded to Plaintiff's attorney pursuant to 42 U.S.C. § 406(b). The court finds that this is a reasonable fee in light of the circumstances in this case. Previously, this court awarded Plaintiff attorney fees in the amount of \$4,964.04 under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. When issuing the 406(b) check for payment to Plaintiff's attorneys, the Commissioner is directed to subtract the amount previously awarded under the EAJA and send Plaintiff's attorney the balance of \$4,733.75 minus any applicable processing fees as allowed by statute.

DATED this 17 day of October, 2007.


United States Magistrate Judge

Presented by:

/s/ Alan Graf
Alan Graf
Of Attorneys for Plaintiff

ORDER GRANTING ATTORNEYS' FEES